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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/422,280	10/20/1999	NEIL DASWANI	P3907	5351

24739 7590 09/08/2004

CENTRAL COAST PATENT AGENCY  
PO BOX 187  
AROMAS, CA 95004

EXAMINER

STULBERGER, CAS P

ART UNIT	PAPER NUMBER
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2132

DATE MAILED: 09/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/422,280

Applicant(s)

DASWANI ET AL.

Examiner

Cas Stulberger

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 May 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

Art Unit: 2132

### **DETAILED ACTION**

1. This action is responsive to communications: application, filed 10/20/1999; amendment filed 05/03/2004.
2. Claims 1-10 are pending in the case. Claims 1 and 6 are independent claims.

### ***Response to Arguments***

3. Applicant's arguments, see amendment, filed 5/03/2004, with respect to the rejection(s) of claim(s) 1-10 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent not 5,889,952 to Hunnicutt et al in view of U.S. Patent Application Publication 2002/0124176 A1 to Epstein have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of U.S. Patent No. 6,330,566 B1 to Durham.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent not 5,889,952 to Hunnicutt et al in view of U.S. Patent Application Publication 2002/0124176 A1 to Epstein and in view of U.S. Patent no. 6,330,566 B1 to Durham.

Art Unit: 2132

In regards to claims 1 and 6, Hunnicutt discloses that when a user "logs-on" to an operating system the user supplies their user-name and password. If the operating system recognized the user then a unique user-token is generated by the system and the user-token is added to a user-token cache. At subsequent "log-ons" by the same user, the system returns the same user-token from the user-token cache (Hunnicutt: column 2, lines 25-30). This meets the limitation of "a password code (P-token) generator; and upon a log-in request signal to the IH from the PD, the IH opens a communication link to the network server, requests the P-token from the PD." Figure 2 also discloses a database that lists user name, password, and user-tokens. However Hunnicutt does not disclose a location token generator or validating log-in without requiring additional information unique to the user.

Epstein discloses the token may also include a location identifier, such as a GPS device, and the access system is used to track the location of each individual (Epstein: paragraph 0035). This meets the limitation of "including a location token generator and a storage location reserved for the H-token."

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the log-on system as disclosed by Hunnicutt with the method of using a location identifier as disclosed by Epstein in order to track the location of each individual (Epstein: paragraph 0035).

Durham discloses having a client retain an updateable token that can be associated with a server's network location, so that the token can be transmitted in lieu of multiple login requirements (Durham: column 1, lines 65-67, column 2, lines 1-6). This meets the limitations of "validating log-in without requiring additional information unique to the user."

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the log-on system as disclosed by Hunnicutt with the method of transmitting the token in lieu of multiple login requirements as disclosed by Durham in order to solve the inconvenience of requiring a client to log in each time (Durham: column 1, lines 66-67).

In regards to claims 2, 3, 7, and 8, Hunnicutt discloses that when the user "logs-on" the user supplies a user-name and password. The operating system recognizes the user and then a unique user-token is generated by the system. At subsequent log-ons by the same user the system returns the same user-token from the user-token cache (Hunnicutt: column 2, lines 25-20). This meets the limitation of "wherein the first time subscriber requests log-in from a PD having no valid stored P-token, the network server requests the subscriber's user name and password, then creates a P-token, which is transmitted to the IH, and from the IH to the PD where the PD stores the P-token for future log-in operations." However Hunnicutt does not disclose an H-token.

Epstein however discloses that the token may also include a location identifier (Epstein: paragraph 0035). This meets the limitation of an H-token.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of creating a P-token as disclosed by Hunnicutt with the method of the token including a location identifier as disclosed by Epstein in order to track the location of each individual (Epstein: paragraph 0035).

In regards to claims 4 and 9, Hunnicutt does not disclose refusing to log-in the user if the token is not valid.

Epstein discloses that an absence of the token precludes access (Epstein: paragraph 0009, last line).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the method of logging-in as disclosed by Hunnicutt with the method of denying access without a valid token as disclose by Epstein in order to preclude access to the system without the token (Epstein: Abstract).

In regards to claims 5 and 10, Hunnicutt discloses that a user requests a resource on a server which maybe local to the server or may be communicating over a network with the server. The network includes local-area networks, intranet networks, and the Internet as well as any other networked computing environments (Hunnicutt: column 1, lines 12-15).

### ***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cas Stulberger whose telephone number is (703) 305-8034None. The examiner can normally be reached on Monday - Friday, 9:00A.M. - 5:00P.M.

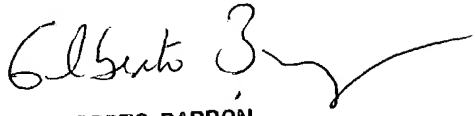
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications, (703) 746-7240 for drafts, and (703) 746-7238 for After Final communications.

Art Unit: 2132

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

CS

CS

  
GILBERTO BARRÓN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100